

# IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. \_\_\_\_\_

## RESOLUTION AUTHORIZING CONVEYANCE OF UNUSED RIGHT OF WAY TO THE STATE OF CALIFORNIA BY QUITCLAIM DEED Supervisory District No. 4

The following resolution is now offered and read:

**WHEREAS**, The County of San Luis Obispo previously accepted certain Hutton Road rights of way from the State of California by Relinquishment No. 1055 recorded November 20, 1962, Book 1212, Page 177; and

**WHEREAS**, The County of San Luis Obispo does not require the use of the portion of said rights of way described and depicted in Exhibits A and B attached hereto (hereafter the "Subject Property") since said portion extends beyond the requirements of the County maintained road system; and

**WHEREAS**, The State of California requires the use of said Subject Property for construction and operation of a portion of bike-path related to reconstruction of the Highway 101 Santa Maria River Bridge by or on behalf of the Department of Transportation; and

**WHEREAS**, The California Department of Transportation is the Lead Agency under the California Environmental Quality Act (CEQA) for the Santa Maria River Bridge project; Caltrans prepared and adopted a Mitigated Negative Declaration (MND) for the project in 2006. The Board's action to convey the Subject Property for the project is consistent with the MND.

**WHEREAS**, it is provided by Section 25365(a) of the Government Code of the State of California, that any conveyance of the Subject Property by the County to the State must be authorized by a four-fifths vote of this Board evidenced by its resolution of authorization and by execution of said conveyance by the Board Chair; and

**WHEREAS**, notice of this intended action has been published pursuant to Sections 25365.(c) and 6061 of the Government Code of the State of California.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of Supervisors of the County of San Luis Obispo, State of California:

1. That said conveyance of the Subject Property to the State of California by Quitclaim for construction and operation of a portion of bike-path related to reconstruction of the Highway 101 Santa Maria River Bridge is authorized by issuance of this resolution, and the Chairperson of this Board is hereby authorized and directed to execute a Quitclaim Deed and any other documents necessary therefore.
2. That the Clerk of this Board shall attach a copy of this resolution to said Quitclaim Deed as evidence of authorization and consent to the execution of same.
3. That the County Director of Public Works is hereby authorized and directed to provide said conveyance to the State of California Department of Transportation for acceptance and recording.

#####

Upon motion of Supervisor \_\_\_\_\_, seconded by  
Supervisor \_\_\_\_\_, and on the following roll call vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAINING:

the foregoing Resolution is hereby adopted.

\_\_\_\_\_  
Chairperson of the Board of Supervisors


ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN  
County Counsel



By: Patrick J. Foran  
Deputy County Counsel

Dated: July 18, 2012

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STATE OF CALIFORNIA,                    }  
County of San Luis Obispo,            ss.

I, \_\_\_\_\_, County Clerk and ex-officio Clerk of the  
Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a  
full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute  
book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this \_\_\_\_\_  
day of \_\_\_\_\_, 20 \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
County Clerk and Ex-Officio Clerk of the Board  
of Supervisors

By \_\_\_\_\_  
Deputy Clerk.

**EXHIBIT "A"**

That portion of the Property described in that Relinquishment of Highway Document #2004084601 Recorded September 24, 2004 in the County of San Luis Obispo County recorder's office, as that part of Lot 32 of Rancho Nipomo shown on the map filed in Book A of Maps at page 13, of San Luis Obispo County, described as follows:

Commencing at the terminus of Course number 2 described in said Relinquishment Document;

Thence, along Course number 3 South 7°51'33" West a distance of 350.22 feet to the **Point of Beginning**;

Thence (1), South 61°50'44" West, a distance of 54.30 feet;

Thence (2), South 3°49'42" West a distance of 256.11 feet to the beginning of a curve concave northeasterly having a radius of 157.00 feet;

Thence (3), along said curve a distance of 31.99 feet through a central angle of 11°40'25" to the southeasterly line of the portion of Lot 32 of Rancho Nipomo described in the instrument filed in Volume 12 of Official Records at page 303;

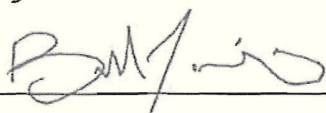
Thence (4), along Lot 32 South 48°52'07" East a distance of 54.22 feet to the terminus of course number 4 described in said Relinquishment Document;

Thence (5), along Course number 4 North 1°28'36" East a distance of 223.88 feet to the terminus of course number 3;

Thence (6), along Course number 3 North 7°51'33" East a distance of 126.12 feet to the Point of Beginning.

**END OF DESCRIPTION**

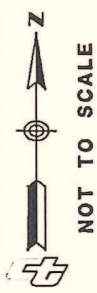
*This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.*

Signature 

Date 7.18.12







Rancho Nipomo  
Portion Lot 18 31 & 32  
(APN 080-302-015)

# COUNTY OF SAN LUIS OBISPO

S110

Book 1, Page 551  
Recorded 11/8/1979

148.13'  
N0°16'51"W

"SLO-2 - Fold Back"  
State of California

113.25'  
N52°20'27"E

Parcel 2-4  
Easement Granted to State, 25-1926  
(APN 080-317-005)

RANCHO NIPOMO  
LOT 15

HIGHER AND DOBLAGE R. FOX  
(APN 080-317-005)  
(2071 OR 883 Recorded 3-19-1978)

L=31.93'

R 157'

248.87' 0.7'E  
PROPOSED R/W

19.01'  
N1°28'45"E

49.27'  
S11°38'45"E

30.80'  
N1°28'45"E

EXISTING R/W

HUTTON ROAD

256.11'  
S3°43'42"W  
PROPOSED R/W

PORTION TO BE RELINQUISHED  
TO THE STATE OF CALIFORNIA  
STREETS AND HIGHWAYS CODE SECTION 83  
13.071 Sd. Ft. / 0.30 Acres

11538

223.88'  
N7°28'35"E

EXISTING R/W

EXISTING R/W

EXISTING R/W

EXISTING R/W

EXISTING R/W

EXISTING R/W

EXISTING R/W

EXISTING R/W

ACCESS  
OPENING  
18.86'  
35.44'  
PROPOSED R/W  
EXISTING R/W

726.72'  
N7°51'33"E  
EXISTING R/W

EXISTING R/W

EXISTING R/W

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HIGHWAY 101

101

STATE OF CALIFORNIA  
BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
DEPARTMENT OF TRANSPORTATION

## EXHIBIT "B"

DIST.	COUNTY	ROUTE	POST MILE	SHEET NO.	TOTAL SHEETS
05	SLO	101	0.00 / 0.80	4	5